IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 14TH JULY 2006 / 23RD ASHADHA,1928

Bail Appl..No. 4220 of 2006

CMP.2788/2006 of J.M.F.C.,KOYILANDY
(CRIME NO.5/2006 OF EXCISE RANGE, BALUSSERY)

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PETITIONER/ACCUSED

CHANDRIKA, W/O.VELAYUDHAN,
MANNAMPOYIL DESOM, KOKKALLUR AMSOM,
KOILANDY, KOZHIKODE.

BY ADV. SRI.NIDHI BALACHANDRAN
SRI.P.K.MANOHARAN

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR, EXCISE RANGE,
KOYILANDY, KOZHIKODE.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4220/2006

DATED THIS THE 14TH DAY OF JULY, 2006

O R D E R

The petitioner was found in illegal possession of two liters of arrack, by the Inspector of Excise Range, Balussery, who registered C.R.No.5/2006 of that Excise Range, under Section 8(1) and 8(2) of the Abkari Act. The petitioner could not be arrested at the time of the raid, since the accused is a woman. She surrendered before the Court below on 30.6.2006, and remains in judicial custody. Hence this application under Section 439 Cr.P.C.

2. After hearing both sides and considering that there is no other case, registered against the accused, together with the completion of the investigation, I grant bail and release the petitioner from jail, subject to the following condition:-

> The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties,

each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Koyilandy.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs